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REMARKS/ARGUMENTS

Claims 1-9 are pending in this application. By this Amendment, Applicant AMENDS the specification, the drawings and claims 1 and 3.

Applicant greatly appreciates the Examiner's indication that claim 3 would be allowable if amended to overcome the rejection under 35 U.S.C. §112, second paragraph and to be in independent form including all of the features of the base claim and any intervening claims.

Applicant has amended claim 3 to be in independent form, including all the features of base claim 1 and to correct the minor informality noted by the Examiner in the 35 U.S.C. §112, second paragraph rejection.

The Examiner objected to the Drawings for failing to designate Figs. 1A to 3 as --Prior Art--. Applicant has amended Figs. 1A to 3 to properly be designated as --Prior Art--. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objection to the Drawings.

The Examiner objected to the Specification for allegedly containing minor informalities. Applicant greatly appreciates the Examiner's careful and thorough consideration of Applicant's Specification. Applicant has amended the Specification to correct the minor informalities noted by the Examiner. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objection to the Specification.

The Examiner objected to the Preliminary Amendment, dated December 26, 2001, for allegedly containing informalities. Applicant authorizes the Examiner to make the amendment described in the first full paragraph on page 3 of the outstanding Office Action. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objection to the Preliminary Amendment, dated December 26, 2001.

Claims 1-9 were rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite. Claim 1 has been amended to correct the informalities noted by the Examiner. Accordingly, Applicants respectfully request reconsideration and withdrawal

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of the rejection of claims 1-9 under 35 U.S.C. § 112, second paragraph.

Claims 1, 2 and 4-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishihara et al. (U.S. 5,796,205) in view of Applicant's Admitted Prior Art (AAPA). Applicants respectfully traverse the rejection of claims 1, 2, and 4-9.

Claim 1 has been amended to recite:

"A surface acoustic wave filter comprising:
a piezoelectric substrate; and

a plurality of one-terminal-pair surface acoustic resonators disposed on said piezoelectric substrate, each of the plurality of one-terminal-pair surface acoustic resonators including interdigital electrodes disposed on said piezoelectric substrate, and an insulating film deposited on and adhered to the interdigital electrodes;

wherein at least one of said plurality of one-terminal-pair surface acoustic resonators is a series arm resonator, and at least one of the remaining one-terminal-pair surface acoustic resonators is a parallel arm resonator,

the series arm resonator and the parallel arm resonator are coupled in a ladder arrangement,

the electrode duty of the parallel arm resonator is greater than the electrode duty of the series arm resonator, the electrode duty of a one-terminal pair surface acoustic resonator being defined by the following equation (1):

$$\text{electrode duty} = 2 \times W/\lambda \quad \dots(1)$$

where λ denotes the wavelength of the one-terminal-pair surface acoustic wave resonator, and W denotes the line width of an interdigital electrode, and

the electrode duty of the parallel arm resonator is about 0.51 to about 0.55." (emphasis added)

Applicants' claim 1 recites the feature of "the electrode duty of the parallel arm resonator is about 0.51 to about 0.55." With the improved features of claim 1, Applicants have been able to provide a surface acoustic wave filter which requires one deposition of an insulating film in order to achieve the desired frequency adjustment without degrading the frequency bandwidth (see, for example, the paragraph bridging

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pages 5 and 6 of the originally filed Specification).

Applicants have amended claim 1 to recite the feature of "the electrode duty of the parallel arm resonator is about 0.51 to about 0.55." This feature is clearly supported in Fig. 6 and the description thereof of pages 11-13 of the specification, as originally filed. Neither Nishihara et al. nor AAPA teaches or suggests this feature.

The Examiner alleged that Nishihara et al. teaches that the electrode duty of the parallel arm resonators is 0.50, respectively. However, Nishihara et al. specifically teaches that the width "L" of the parallel interdigital electrode 45 of the parallel-connected resonator 46 is $0.4\text{ }\mu\text{m}$ and that the wavelength λ_s of the parallel-connected resonator 46 is $2.000\text{ }\mu\text{m}$. Thus, contrary to the Examiner's allegation, Nishihara et al. teaches that the electrode duty $(2 \times W/\lambda) = 2 \times 0.4\text{ }\mu\text{m}/2.000\text{ }\mu\text{m} = 0.4$, **NOT** 0.5. Accordingly, Nishihara et al. certainly fails to teach or suggest "the electrode duty of the parallel arm resonator is about 0.51 to about 0.55" as recited in the present claimed invention.

In addition, Nishihara et al. fails to teach or suggest that the electrode duty of the parallel-connected resonator 46 could or should be any value other than 0.4, and certainly fails to teach or suggest that the electrode duty of the parallel-connected resonator 46 could or should be any value greater than 0.4. Thus, Nishihara et al. cannot be fairly construed as teaching or suggesting "the electrode duty of the parallel arm resonator is about 0.51 to about 0.55" as recited in the present claimed invention.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. § 103(a) as being unpatentable over Nishihara et al. in view of AAPA.

Accordingly, Applicant respectfully submits that none of the prior art of record, applied alone or in combination, teaches or suggests the unique combination and arrangement of elements recited in claim 1 of the present application. Claims 2 and 4-9 depend upon claim 1 and are therefore allowable for at least the reasons that claim 1 is allowable. The Examiner has indicated that claim 3 is allowable.

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In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

To the extent necessary, Applicant petitions the Commissioner for a THREE-month extension of time, extending to August 28, 2003, the period for response to the Office Action dated February 28, 2003.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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